

Section 300.15.

Municipal Harbor Regulations

A. Definitions

Municipal harbor rules, regulations and programs include all rules, regulations, programs or management functions exercised by a municipality that apply to the use of tidal waters adjacent to a municipality.

B. Additional Category B Requirements

1. All municipalities proposing to adopt harbor rules, regulations, or programs shall apply to the Council for a determination of consistency with the Coastal Resources Management Program. Municipalities are referred to the Guidelines for the Development of Municipal Harbor Management Plans for additional detailed standards in establishing harbor rules, regulations or programs.

2. When a city or town enacts a police ordinance under G.L.R.I. 46-4-2, it shall not be required to request a determination of consistency with the Coastal Resources Management Program unless such by-law or ordinance affects the planning, regulation, or coordinating functions of the Council.

3. The Executive Director is authorized to approve, administratively, municipal harbor regulations and ordinances for an interim period of one year, provided:

a) The municipality submits an application for review and approval, by the Executive Director, such that present conditions of the harbor and the uses made of it can be examined;

b) In the meantime the municipality undertakes and prepares a comprehensive harbor management plan, in conformance with the policies and requirements of the CRMP, as amended;

c) Until such time as a comprehensive harbor plan is prepared, all activities regulated throughout the CRMP, or which take below the mean high water mark, must come before the CRMC for review and approval, in accordance with established procedures.